

Application No. 09/704,968

Our Case No. 09792909-4689

REMARKS

Claim 22 was rejected under 35 U.S.C. § 112, first paragraph. The claim has been canceled, thus rendering the rejection moot.

Claims 23-25 were was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The claims have been canceled, thus rendering the rejection moot.

Claim 11 was rejected under 35 U.S.C. § 112, second paragraph, because the proviso that "at least one of R¹ and R² has at least two carbons" was found to be without antecedent basis. Although Applicants disagree, said proviso has been canceled as recommended by the Examiner in order to cure this ground of rejection and expedite prosecution.

Claim 22 was rejected under 35 U.S.C. § 102(b) over Sugihara. Said claim has been canceled, thus rendering this ground of rejection moot.

Claim 24 was rejected under 35 U.S.C. § 102(b) over Sugihara, because formula (III) was anticipated by compound 14 (R=phenyl) on page 593, Fig. 1 of the cited reference. The claim has been canceled, thus rendering the rejection moot.

Claim 25 was rejected under 35 U.S.C. § 102(b) over Sugihara, because formula (IV) was anticipated by compound 4 (R=CH₃) on page 593, Fig. 1 of the cited reference. The claim has been canceled, thus rendering the rejection moot.

Applicants submit that new claims 26-28 are fully supported by the specification. In particular, the subgenus of claim 26 is described by formulae 15-27 of the invention (pages 19-21 of the present application), wherein the cyclohexyl moiety is substituted by one, two, or three methyl groups, and of ordinary skill in the art would therefore recognize that the same moiety can readily accommodate additional methyl groups and other substituents in like manner.

Likewise, the subgenus of claim 27 is described by formulae 29-52, 57, 66-71, 77-114 (pages 21-36 of the present application), wherein the phenyl moiety is substituted by one, two, or three methyl groups, and one of ordinary skill in the art would derive the claimed subgenus from the formulae. Analogous considerations apply to the subgenus of claim 28, which is described by formulae 160-172 (pages 47-50 of the present application).

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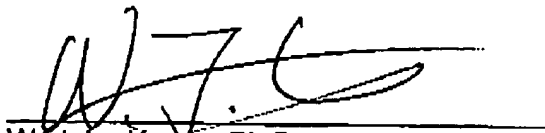
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With the present amendment, claims 11 and 26-28 are presently active in the application. Prompt passage to allowance is respectfully requested and early notice thereof is earnestly solicited.

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